

UNITED STATES DISTRICT COURT  
DISTRICT OF PUERTO RICO

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In re:

PROMESA  
Title III

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO,  
et al.,

(Jointly Administered)

Debtors.<sup>1</sup>  
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ORDER REGARDING CORRESPONDENCE RECEIVED BY THE COURT ON AUGUST 27, 2018

The Court has received an email sent by Mr. Javier Mandry Mercado, dated August 27, 2018 (the “Urgent Request,” attached hereto as Exhibit A). In the Urgent Request, Mr. Mandry Mercado references a dispute (the “Civil Action”) in the Commonwealth Court of First Instance (the “Commonwealth Court”), and indicates that he wishes to file an adversary complaint in connection with Case Nos. 17-3283 and 17-3567. Mr. Mandry and all others are hereby reminded that direct email to the Court is not an acceptable way of initiating any requests for Court action. In the future, such transmissions will be rejected and the senders will be

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<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations.)

instructed to file their motions with the Clerk of Court in accordance with the established procedural rules and orders.

The Court hereby directs the Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”) and Ms. María E. Vicéns Rivera to provide a joint status report regarding the Civil Action, including a summary of the relief sought, the parties involved, and the procedural status of the Civil Action. AAFAF and Ms. Vicéns Rivera are further directed to address in this status report whether, given that the motion attached to the Urgent Request and apparently filed in the Commonwealth Court appears to recognize Mr. Mandry Mercado as a person with an interest in the Civil Action, Mr. Mandy Mercado was consulted in connection with the *Stipulation Modifying the Automatic Stay Between the Puerto Rico Highways and Transportation Authority and Sucesión Pastor Mandry Mercado*. The joint status report must be filed by **September 17, 2018, at 5:00 p.m. Atlantic Standard Time**, with a copy mailed to Mr. Mandry Mercado by that deadline.

To the extent that Mr. Mandry Mercado seeks permission to file an adversary proceeding in this Court, his request is not necessary and is therefore denied without prejudice to any steps he may take in compliance with the applicable federal and local procedural rules and the Case Management Order. The Court expresses no opinion as to whether it would have jurisdiction of Mr. Mandry Mercado’s proposed causes of action or whether Mr. Mandry Mercado’s potential adversary complaint would state a claim upon which relief might be granted.

SO ORDERED.

Dated: September 7, 2018

/s/ Laura Taylor Swain  
LAURA TAYLOR SWAIN  
United States District Judge